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November 13, 2006

C050462 SAVE OUR GATEWAY v. TOWN OF PARADISE et al. and FHK PARADISE

C051194 FREEMAN & RISHWAIN G.P. v. BROWN

C050315 SKINNER et al. v. JONSSON et al.

C050788 KINETIC SYSTEMS, INC. v. WILD GOOSE STORAGE, INC.

**C052504 In re KEVIN P.; SISKIYOU COUNTY HUMAN SERVICES DEPARTMENT v.
LUCINDA P. (Not for Publication)**

We Concur: Blease, Acting P.J.
Raye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 13, 2006, continued

C045690 THE PEOPLE v. LE et al.

BY THE COURT:

Respondent's petition for rehearing is denied.
MORRISON, Acting P.J.

November 14, 2006

At 9:29 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Blease, Associate Justice; Nicholson, Associate Justice; Cantil-Sakauye, Associate Justice; and Haskett, bailiff.

C050114 THE PEOPLE v. MAHMOUD

Cause called. Curt R. Zimansky, court appointed counsel, argued for appellant. Maggy Krell, Deputy Attorney General, argued for respondent. Cause submitted.

At 9:46 a.m., the court recessed. At 9:50 a.m., the court reconvened with Davis, Associate Justice; Nicholson, Associate Justice; and Butz, Associate Justice.

C048526 THE PEOPLE v. RACIMO

Cause called. David McNeil Morse, court appointed counsel, argued for appellant. Maggy Krell, Deputy Attorney General, argued for respondent. Cause submitted.

At 10:18 a.m., the court recessed. At 10:23 a.m., the court reconvened with Davis, Associate Justice; Morrison, Associate Justice; and Butz, Associate Justice.

C050617 ERWIN v. STEWART, HUMPHERYS, BURCHETT & MOLIN et al.

Cause called. John Derrick argued for appellant. Mick Favor, argued for respondents. Cause submitted.

C051182 MAPLE v. HUGHES, as San Joaquin County Public Conservator, and SILVA

Cause called. Louise Silva Maple argued In Pro Per as appellant. Kimberly D. Johnson, Deputy County Counsel, argued for respondent. Cause called.

At 11:20 a.m., the court recessed. At 2:00 p.m., the court reconvened with Nicholson, Associate Justice; Morrison, Associate Justice; and Robie, Associate Justice.

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Nicholson, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 14, 2006, continued

- C052284 THE PEOPLE v. GROZAV (Not for Publication)**
The judgment is affirmed. The trial court is directed to (1) dismiss count two... The court is further directed to sent a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.
SCOTLAND, P.J.
We Concur: Davis, J.
 Nicholson, J.
- C052393 THE PEOPLE v. BATES (Not for Publication)**
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Butz, J.
 Cantil-Sakauye, J.
- C052519 THE PEOPLE v. PIPER (Not for Publication)**
The judgment is affirmed.
Blease, Acting P.J.
We Concur: Butz, J.
 Cantil-Sakauye, J.
- C050564 In re ELERI F; THE PEOPLE v. ELERI F. (Not for Publication)**
The judgment is affirmed.
HULL, J.
We Concur: Scotland, P.J.
 Davis, J.
I write separately to note that I was a member of the panel that decided the appeal that was the subject of the unpublished opinion the trial court referred to and disagreed with in this matter...
HULL, J.
- C050710 In re DANIEL S.; THE PEOPLE v. DANIEL S. (Not for Publication)**
The order authorizing CYA to dispense psychotropic medication based on the opinion of any physician in good standing is stricken. The matter is remanded to the juvenile court with directions to exercise its discretion in setting the minor's maximum term of confinement pursuant to section 731, subdivision (b), and to calculate and award custody credits. In all other respects, the order committing the minor to CYA is affirmed.
HULL, J.
We Concur: Blease, Acting P.J.
 Raye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 14, 2006, continued

- C051091 In re D.J.; THE PEOPLE v. D.J. (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Scotland, P.J.
Raye, J.
- C048668 STATE COMPENSATION INSURANCE FUND v. WORKERS'**
C049286 COMPENSATION APPEALS BOARD and SANDHAGEN
SANDHAGEN v. WORKERS' COMPENSATION APPEALS BOARD and
STATE COMPENSATION INSURANCE FUND
(CERTIFIED FOR PUBLICATION)
Fund's petition for writ of review is denied. Sandhagen's petition for writ of review is denied.
RAYE, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J.
- C051270 COUNTY OF COLUSA v. CALIFORNIA WILDLIFE CONSERVATION BOARD**
et al. (CERTIFIED FOR PUBLICATION)
THE COURT:
The opinion in the above-entitled matter filed on October 19, 2006, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.
BY THE COURT:
RAYE, Acting P.J.
ROBIE, J.
CANTIL-SAKAUYE, J.

November 15, 2006

- C047305 LENI v. LENI (CERTIFIED FOR PUBLICATION)**
That portion of the judgment ordering Husband to reimburse Wife \$12,000 in payment of her one-half community interest in the sale of their Santa Clara home is reversed... In light of our disposition, Wife's motion for sanctions based in the asserted frivolousness of the appeal is denied.
RAYE, J.
We Concur: Nicholson, Acting P.J.
Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 15, 2006, continued

C045690 THE PEOPLE v. LE et al.

BY THE COURT:

The petitions for rehearing filed by Appellants Manora Ek and Khammay Keomanivong are denied.

MORRISON, Acting P.J.

**C052528 TEMPLETON DEVELOPMENT CORPORATION et al. v. THE SUPERIOR
COURT OF SACRAMENTO COUNTY and DICK EMARD ELECTRIC, INC.**

THE COURT:

The opinion in the above-entitled matter filed on October 25, 2006, was not certified for publication in the Official Reports. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.

BY THE COURT:

NICHOLSON, Acting P.J.

HULL, J.

CANTIL-SAKAUYE, J.

November 16, 2006

C049116 THE PEOPLE v. SIACKSORN (Not for Publication)

The judgment is affirmed.

HULL, J.

I concur: Morrison, J.

I concur in the opinion except for part II, where I concur in the result.

SIMS, Acting P.J.

C049620 THE PEOPLE v. WASHINGTON (Not for Publication)

The judgment is reversed. The matter is remanded to the trial court for further proceedings.

HULL, J.

We Concur: Sims, Acting P.J.

Cantil-Sakauye, J.

C050532 THE PEOPLE v. WHITE (Not for Publication)

The judgment is modified...

... In all other respects the judgment is affirmed... The trial court shall forward a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.

DAVIS, J.

We Concur: Sims, Acting P.J.

Hull, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 16, 2006, continued

C050670 THE PEOPLE v. RODRIGUEZ (Not for Publication)

The judgment is affirmed.

CANTIL-SAKAUYE, J.

We Concur: Sims, Acting P.J.

Hull, J.

C051258 THE PEOPLE v. WELCH (Not for Publication)

The matter is remanded to the trial court for a determination of defendant's ability to pay attorney fees and costs of preparing the probation report and to award defendant two days of work/good conduct credit.

ROBIE, J.

We Concur: Sims, Acting P.J.

Hull, J.

C052277 THE PEOPLE v. MAYO (Not for Publication)

The judgment is affirmed.

ROBIE, J.

We Concur: Sims, Acting P.J.

Hull, J.

November 17, 2006

At 9:30 a.m., the court met in the Library and Courts Building to begin its court calendar session. Present were Sims, Associate Justice; Nicholson, Associate Justice; Raye, Associate Justice and Harper, bailiff.

C047936 THE PEOPLE v. CONRAD, SR.

Cause called. George M. Hendrickson, Deputy Attorney General, argued for appellant. Roberta Simon, court appointed counsel, argued for respondent. Cause submitted.

At 10:01 a.m., the court recessed. At 10:05 a.m., the court reconvened.

**C049642 CITIZENS TO SAVE CALIFORNIA et al. v. CALIFORNIA FAIR POLITICAL
PRACTICES COMMISSION
SCHWARZENEGGER , as Governor, etc., et al. v. CALIFORNIA FAIR
POLITICAL PRACTICES COMMISSION**

Cause called. Douglas J. Woods, Deputy Attorney General, and Lawrence T. Woodlock argued for defendant-appellant. James R. Parrinello argued for plaintiffs-respondents. Thomas W. Hiltachk appeared only for plaintiffs-intervenors-respondents. Cause submitted.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

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The Minutes

November 17, 2006, continued

At 10:43 a.m., the court recessed. At 10:48 a.m., the court reconvened with Sims, Associate Justice; Morrison, Associate Justice; and Butz, Associate Justice.

C048663 THE PEOPLE v. GARCIA

Cause called. Michael Borkowski argued for appellant. Paul E. O'Connor, Deputy Attorney General, argued for respondent. Cause submitted.

At 11:07 a.m., the court recessed. At 11:14 a.m., the court reconvened with Davis, Associate Justice; Nicholson, Associate Justice; and Morrison, Associate Justice.

C047838 O'DONNELL v. ACCREDITED HOME LENDERS, INC.

Cause called. Merrill F. Storms, Jr. appeared for appellant. Peter Szabadi appeared for respondent. Counsel requested case not be argued and submitted and to be allowed to file a stipulation to dismiss. Court agreed in open court.

At 11:14 a.m., the court recessed. At 11:18 a.m., the court reconvened.

C051505 BRENTLINGER v. GEWEKE AUTO AND R.V. GROUP, INC.

Cause called. Randall L. Wiens argued for appellant. Donald E. Cope argued for respondent. Cause submitted.

At 11:44 a.m., the court recessed. At 2:02 p.m., the court reconvened with Blease, Associate Justice; Sims, Associate Justice; and Butz, Associate Justice.

C048609 THE PEOPLE v. LAKOTA

Cause called. John R. Duree, Jr. argued for appellant. Maggy Krell, Deputy Attorney General, argued for respondent. Cause submitted.

At 2:29 p.m., the court recessed until 9:30 a.m., Monday, November 20, 2006.

C049898 THE PEOPLE v. ROGERS

(Not for Publication)

The judgment is affirmed.

DAVIS, J.

We Concur: Sims, Acting P.J.

Hull, J.

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November 17, 2006, continued

The judgment is affirmed.
BLEASE, Acting P.J.
Concur: Butz, J.
Cantil-Sakauye, J.

The order denying the OACC's motion for JNOV on the fraud cause of action is reversed with directions to grant the motion. The trial court is directed to vacate the judgment and prepare a new judgment consistent with this disposition. The Raiders' appeal from the order denying attorney fees is dismissed as moot. OACC shall recover its costs on appeal. (Cal. Rules of Court, rule 27(a).)

BUTZ, J.

I respectfully dissent...

DAVIS, Acting P.J.